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C O N F I D E N T I A L SECTION 01 OF 04 BEIRUT 000423

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NSC FOR ABRAMS/DORAN/MARCHESE/HARDING

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TAGS: PREL PGOV KDEM LE SY SA

SUBJECT: SAUDI AMBASSADOR BLAMES JUMBLATT FOR IMPASSE, AS
JUMBLATT AND HARIRI MEND FENCES

REF: BEIRUT 353

Classified By: Jeffrey Feltman, Ambassador, per 1.4 (b) and (d).

SUMMARY

¶11. (C) Saudi Ambassador Abdulaziz Khoja used a 3/21 meeting with Ambassador Feltman to blast Walid Jumblatt. Had it not been for Jumblatt's objections, Khoja said, Parliament Speaker Nabih Berri and MP Saad Hariri would be able to conclude a "declaration of intent" of how to end Lebanon's political crisis, the announcement of which would have led to a positive atmosphere at the upcoming Arab Summit. The declaration, by staying generic, would not have resolved the details of the cabinet formation (although Khoja argued that the 19-11 split preferred by Berri should be acceptable to the March 14 majority, given Berri's offer of certain guarantees). Speaking for their leaders Walid Jumblatt and Saad Hariri respectively, Marwan Hamadeh and Ghattas Khoury denied Khoja's report of significant progress between Berri and Hariri. They expressed concern that Khoja, either acting on his own or perhaps with backing from his government, was putting undue pressure on Hariri to compromise in a way that would let Syrian President Bashar al-Assad off the hook at the summit. They rejected the idea of a declaration of intent or on conceding to a 19-11 cabinet split, which Hamadeh argued would adversely affect upcoming presidential elections. Hamadeh and Khoury also noted that Hariri and Jumblatt, after a couple of testy days, had successfully reconciled late on 3/21, paving the way for a larger March 14 political leadership meeting. End summary.

KHOJA WORRIED ABOUT KIDNAPPING

¶12. (C) The Ambassador compared notes with Saudi Ambassador to Lebanon Abdulaziz Khoja on 3/21. Explaining the massive security detail around his residence, Khoja opened the meeting with security concerns: the Lebanese, Khoja said, had uncovered a kidnapping plot backed by Syria and to be implemented by Fatah al-Islam. Fatah al-Islam had constructed a model in the Nahr al-Barid camp of the Saudi Embassy, in order to train for storming the Embassy in order to kidnap Khoja.

BLAMING JUMBLATT'S 'EXTREMISM' FOR LACK
OF BREAK-THROUGH IN HARIRI-BERRI TALKS

¶13. (C) Moving to politics, Khoja expressed deep annoyance about the "extreme" positions of Druse leader Walid Jumblatt,

whom Khoja accused of preferring chaos to any kind of solution to Lebanon's political crisis. Despite Saudi Arabia's "generous support" (a reference to financial subsidies), Jumblatt was working against Saudi interests in being "determined to blow everything up." Specifically, Jumblatt's leadership of the protest demanding the opening of the Parliament had derailed the talks between Parliament Speaker Nabih Berri and MP Saad Hariri. Hariri and Berri had made considerable progress, down to talking about names of ministers, and Jumblatt found that a threat.

HARIRI AND BERRI REPORTEDLY CLOSE
TO CONCLUDING 'DECLARATION OF INTENTS'

¶4. (C) Until Jumblatt blocked the idea, Hariri and Berri had come very close to concluding a "declaration of intent" on how to solve the cabinet crisis, Khoja reported. Saudi Arabia very much wanted to see this declaration announced ahead of the Arab Summit, in order to provide positive atmosphere for the Summit and to give Lebanon and the region a sense of hope that the Lebanese were on the verge of ending this crisis. In fact, the declaration would be quite generic, speaking of the agreement on a committee to examine the Special Tribunal for Lebanon and on the need for a National Unity Government (NUG), the details of which would be worked out only after the committee concluded its work on the tribunal. Given that the declaration did not tie either side to specific positions -- there would be no mention of a 19-11 cabinet split, for example -- Khoja did not see why Jumblatt should find the idea so frightening. Moreover, since the details of the cabinet formation would not be concluded until after agreement on the tribunal, March 14 had what amounted to "guarantees." While Saudi Arabia would

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still like to see such a declaration issued before the Summit, Khoja expressed pessimism that it would happen. Forced to choose between the declaration and keeping Jumblatt inside his alliance, Hariri will probably choose Jumblatt. Without such a declaration, "who knows what will happen" in Lebanon after the Summit.

CONVINCED OF BERRI'S SINCERITY IN WANTING
ONLY 'MINOR CHANGES' TO TRIBUNAL

¶5. (C) Noting recent Syrian statements indicating that Syria will not cooperate with a Special Tribunal, the Ambassador asked Khoja how sincere he believed Berri to be regarding only "minor" changes needed for the tribunal to be approved. While acknowledging that, despite asking the Speaker repeatedly for details, he does not have Berri's specific reservations, Khoja said that he was convinced that Berri and Hizballah were speaking in good faith about needing only small adjustments. Asked why Berri would, by Khoja's logic, seem to be moving in a different direction from the Syrians on this issue, Khoja said that Berri and Hizballah are frightened of Chapter VII. They realize that UNSC approval of the tribunal under Chapter VII is not out of the question. Faced with the possibility of Chapter VII approval, Berri and Hizballah prefer the lesser evil of approval under Lebanon's constitutional organs. Syria may still be trying to deflect the tribunal altogether, but Berri and Hizballah are more realistic. The Ambassador responded that he found it implausible that Berri would separate his action from Syrian will so decisively.

HARIRI'S PREVIOUS CONCERN
DO NOT SEEM TO BE ADDRESSED

¶6. (C) The Ambassador asked Khoja whether Jumblatt and other March 14 colleagues might fear the proposed declaration of intents because they sense a Berri-imposed trap: once a generic declaration is issued, Berri will probably spin the

declaration in a way that makes it appear as though March 14 has accepted Berri's demands for a 19-11 cabinet. After all, the declaration seems to echoes Berri's own approach and non-paper, whereas March 14 had already raised, in a paper presented by Hariri to the Saudis, a lengthy list of concerns and questions about Berri's ideas. (See reftel for both the Berri non-paper and Hariri's response.) Khoja said that he "never really understood" Hariri's objections to the Berri plan. The Ambassador raised one specific concern, Berri's insistence that the tribunal documents be removed from the Official Gazette and republished once the NUG approves the documents as revised by the committee. Hariri's paper questions whether this sets a precedent by which Berri will claim that all decrees taken after the 11/11 Shia walk-out must be withdrawn. Noting that he had discussed that issue with Berri, Khoja said that there was no problem: Berri agreed that, for all other decrees passed by the Siniora cabinet, the NUG would vote and approve them, without debate, in the first cabinet meeting. The Ambassador noted that what Khoja is suggesting is that the March 14 leaders participate in a process that confirms the pro-Syrian contention that Siniora's cabinet was unconstitutional since November, a position that neither Saudi Arabia nor the United States shares.

GIVEN BERRI'S PROMISES, KHOJA SEES 19-11 CABINET AS LITTLE DIFFERENT FROM 19-10-1 CABINET

¶7. (C) Khoja then pitched the Ambassador on looking at a 19-11 cabinet split as proposed by Berri as essentially no different than the 19-10-1 cabinet split already accepted by the March 14 leaders, including Jumblatt. Berri has promised to give public guarantees that the 11 will not resign or break cabinet quorum for the life of this cabinet, that is until the end of Lahoud's mandate in November. Thus, the so-called "killing minority" (when resignations of "more than a third" of the ministers force a constitutional collapse of the government) does not really exist. As for the "blocking minority" (referring to the constitutional requirement that passing major decrees or overriding presidential vetoes require a two-thirds cabinet majority), it's the same under the 19-10-1 or 19-11 formula. The "neutral" minister, by not casting a vote in a March 8-March 14 split decision, in practice sides with the minority, preventing March 14 from passing its decisions. If in essence there is no difference

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between the two proposals, the Ambassador responded, then why can't Berri be the one to compromise, by accepting 19-10-1? Because Lebanon's constitution does not allow for a neutral minister who does not vote, Khoja said (parroting Berri's line), and Berri does not wish to establish that precedent.

¶8. (C) Moreover, Khoja said, Berri is, in fact, showing good faith by discussing with Hariri who the 11th minister in a 19-11 cabinet would be. That shows that, in fact, Berri recognizes that the 11th minister will be somewhat different than the other 10, freely chosen by the March 8-Aoun opposition. Hariri will be able to ensure that this 11th minister is a credible figure. So Berri can tell his allies that he achieved the 19-11 split, whereas Hariri can assure his allies that the actual operations of the cabinet are more in line with the 19-10-1 proposal, given his influence over the 11th opposition minister. Unfortunately, Jumblatt, with his extremist positions, refuses to go along with this.

MARCH 14 ADVISORS SUSPICIOUS OF DECLARATION OF INTENT IDEA

¶9. (C) After the Khoja meeting, the Ambassador met separately with Minister of Communications Marwan Hamadeh (advisor to Jumblatt) and Ghattas Khoury (advisor to Hariri) for the views of their bosses. Both denied that Berri and Hariri were as close to a break-through as Khoja claimed.

While Hariri was exploring the proposal for a declaration of intent, he had not agreed upon it, nor was he prepared to concede to a 19-11 cabinet split. On the declaration, Hamadeh and Khoury expressed fear that Berri is pushing for a way to (in Hamadeh's words) "whitewash" Syrian President Bashar al-Asad before the Arab Summit. If such a declaration is issued, then Bashar can deflect any criticism about Lebanon, saying that the Lebanese themselves have already agreed upon a way forward. All pressure on Syria regarding Lebanon will evaporate, and it also becomes more likely that Saudi Arabia will agree to some kind of public reconciliation with Bashar. While Khoja is pressuring Hariri to conclude a declaration of intent, neither Khoury nor Hamadeh could tell whether Khoja was acting on his own or following orders from Riyadh. They argued that having a declaration ahead of the Summit, given the certainty of how Berri would spin it, would put them in a weak position when it comes time to negotiate the actual composition of a NUG. Hamadeh suggested that, if a declaration were to be announced, March 14 would simultaneously leak the Hariri paper (reftel) to indicate its positions going into such negotiations, to help level the playing field with the inevitable Berri "victory speech."

¶10. (C) Hamadeh and Khoury also expressed concern about whether there might be some secret Saudi-Syrian deal on the table for the Summit. The Ambassador asked Khoury why he couldn't get the answers to such questions from Hariri, given Hariri's relationship with the Saudi royal family. While refusing to be drawn out, Khoury said that he was not reassured by Hariri's attitude over the past few days. "I smell a deal," Khoury added, blaming Khoja and Saudi Foreign Minister Saud al-Faisal for being too receptive to ideas proposed by Nabih Berri and other pro-Syrians.

LINKING 19-11 CABINET DEMAND
TO PRESIDENTIAL ELECTIONS

¶11. (C) The Ambassador shared with Hamadeh Khoja's view that, with Berri's guarantees against the resignation of ministers, a 19-11 cabinet is really no different in practice than the 19-10-1 cabinet March 14 leaders have already conceded. Hamadeh strongly disagreed. The pro-Syrians, Hamadeh said, are looking ahead to presidential elections, and the 19-11 cabinet split is essential to their ability to prevent a March 14 presidential favorite from emerging. Berri's guarantees against resignations expire with Lahoud's term in November, Hamadeh noted. At that point, the pro-Syrians will insist on a "compromise" president "who is 70 percent theirs and only 30 percent ours." They will insist on a two-thirds parliamentary quorum, meaning that they can block parliament from electing Lahoud's replacement. If March 14 leaders refuse to go along, then the pro-Syrians will find a pretext by which to resign, toppling the cabinet. That will lead Lahoud to insist upon staying in office, as there is no constitutionally mandated cabinet to which to bestow the executive office until presidential elections can be held. Lahoud will then appoint the caretaker cabinet of

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his choice.

¶12. (C) Under a 19-10-1 cabinet, on the other hand, the cabinet will remain constitutionally valid, meaning, if presidential elections are blocked, Lahoud must constitutionally cede his powers to the cabinet ad interim. The Ambassador questioned whether the 19-10-1 cabinet would really protect March 14 interests, since the pro-Syrians managed to have only six out of 24 ministers resign from the Siniora cabinet, yet they have succeeded in painting the current cabinet as unconstitutional. But not everyone accepts the claim that six resignations made Siniora's cabinet unconstitutional, whereas the resignation of 11 from 19 is "without question" a collapse of the cabinet. "We cannot give 19-11," Hamadeh said.

JUMBLATT AND HARIRI RECONCILE

¶13. (C) Hamadeh and Khoury also acknowledged that Jumblatt and Hariri had been passing through a testy period. Jumblatt feared Hariri was being naive and too ready to compromise in his talks with Berri; Hariri found Jumblatt's public statements to be unnecessarily provocative at a time when one had to at least try to come to an understanding with Berri. But the two men had finally met on the evening of 3/21 and worked out their differences. They understood that a split in March 14 ranks would play into Syria's hands. This reconciliation paves the way for the much-postponed broader March 14 leadership meeting to take place at last, so that Hariri can brief everyone on his talks with Berri and get a renewed mandate for March 14 positions.

COMMENT

¶14. (C) An example of the ever-capricious political winds here: over lunch with the Ambassador last Friday (3/16), Walid Jumblatt expressed confidence that the Saudis were opposed to a 19-11 cabinet concession to the March 8-Aoun opposition. In Jumblatt's explanations, the Saudis realized the dangerous precedent for elsewhere in the region of permitting a Shia-dominated minority from being able to impose its will on a majority. By Sunday, he was feuding with Saad Hariri, in the belief that Hariri was under Saudi pressure to give in on that very point. We do not know how much Khoja's interventions here reflect the positions of his government, but Khoja seemed genuinely bewildered that the March 14 movement would be so adamant against a 19-11 split. Of course, we are a bit bewildered that Khoja would insist that the wily Berri is "sincere" in asking for only minor changes in the tribunal documents, when Berri suspiciously continues to stonewall against giving any hint of what are the March 8 reservations. The good news in this story is that Jumblatt and Hariri came to their senses after several days of bickering and realized that March 14 leaders must maintain a united front in the face of a most determined, organized, and well-funded pro-Syrian opposition.

FELTMAN